

APR 28 2008

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April 25, 2008

Via Federal Express

Hon. Richard M. Berman, U.S.D.J.

Daniel Patrick Moynihan

United States Courthouse

500 Pearl St., Room 650

Courtroom: 21D

New York, NY 10007

MEMO ENDORSED

**Re: Sue Earl v. Novartis Consumer Health, Inc.
Civil Action No. 07-cv-9595-RMB**

Dear Judge Berman:

This firm represents defendant Novartis Consumer Health, Inc. in the above-entitled matter. A status conference on this matter is scheduled before Your Honor on Tuesday April 29, 2008 beginning at 10:00 a.m. Due to a pre-existing conflict, we respectfully request that this status conference be moved to Monday, May 5, 2008 at 10:00 a.m. Plaintiff's counsel does not object to moving the conference to May 5. Please advise whether the new date and time is acceptable to the Court.

Thank you for your courtesies in this matter.

Adjourned to 5/6/08 @ 9:30

Respectfully submitted,

OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.

Alyson M. Smith

Alyson M. Smith

SO ORDERED:

Date: 4/28/08

Richard M. Berman
Richard M. Berman, U.S.D.J.

cc: David Sanford, Esq. (via email)

Steven L. Wittels, Esq. (via email)

Andrew Meltzer, Esq. (via email)

Angela Corridan, Esq. (via email)

Howard Locker (via email)

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